

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MALIK BROWN,

21 cv-214(CS)

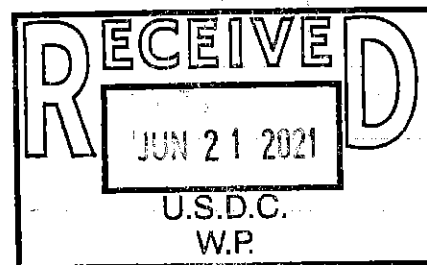
Plaintiff,

NOTICE OF MOTION

- against -

STEPHEN URBANSKI, et al.,

Defendants.



PLEASE TAKE NOTICE that I, Plaintiff MALIK L BROWN request that the Court: Deny defendants motion to dismiss Filed by (Counsel) Brendan M. Horan, representing defendants, STEPHEN URBANSKI, Issa Yunes, Joseph Deacon, Mark DeBianco, Sharon Frost, Emily Williams, Alexander Minard, Brendan Walsh, Danielle Cebren, Anthony Annucci Defendants In the above-captioned action I, ask that this Court resume civil action in this case

For discovery and Jury purposes Document 24 filed 5/25/21 Page 2 of 3 By Counsel, Brendan M Horan<sup>which</sup>, I stated I failed to state a claim & lack of Jurisdiction, then states on the page that I made claims for violation of my eighth ammendment, also I argue the lack of Jurisdiction, for the Southern District Court of New York caters to the District that Fishkills falls in, I wasnt in the vicinity when I filed my suit, but I still filed suit with the rightful district court for the county in which the incident took place I clearly stated the personal involvement, I stand behind my claim that defendants are liable

For my assault by another Inmate, I understand that every injury suffered by one Prisoner to another doesn't translate into Constitutional liability for prison officials but this does I clearly stated how I was incarcerated under conditions that posed a substantial risk of serious harm and I clearly stated how defendant showed deliberate indifference towards my safety as well as other prisoners and all staff along as well

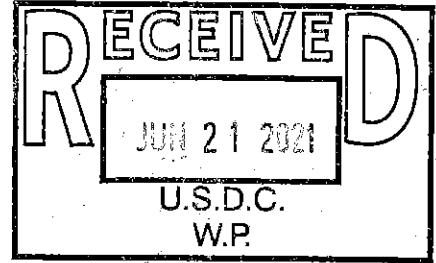
My claim supports this it is the officers job to secure Mechanical Restraints which they did not my attacker is/was a known aggressor with a violent history at Fishkill Correctional Facility and was confined to SHU for a violent altercation with staff that resulted in a use of force so staff carelessly showed indifference when they failed to secure his Restraints inmate was knowingly dangerous they put me in harm that alone established the conditions & the risk that was posed I was fully restrained in a yard

in the blistering heat with other  
fully restrained inmates officer  
Jones didn't have mace or a radio  
and my ~~attacker~~ was able to  
walk around for ten minutes  
straight with no waist chain  
on. staff present didn't even  
notice that, then counsel for  
the defendants contradicted  
his statement by backing my  
argument/claim to defendants  
motion use of force was not  
applied in good faith my attacker  
was subdued already I was on

my stomach bleeding profusely  
from a cracked skull I was  
tapped on my shoulder I glanced  
then was sprayed, I backed  
the medical malpractice when  
I was kept in that yard battered  
bruised and sprayed for  
36-37 min nurse Cebren wrote a  
false time of incident and treatment  
I had to go to St Lukes hospital  
twice. I ask the court to dismiss  
the motions for defendant depend on immunity  
status not fact I ask you resume this  
case into the discovery stage the video will back

6/13/2021 7:14 PM

My claim



Submitted by: Malik L Brown  
16A1000 Plaintiff

ATTICA Correctional  
Facility

ATTICA NY 10411-0149

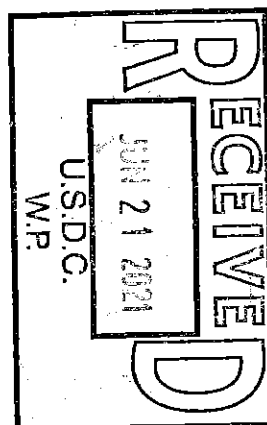
CC: Brown 16A1000

Signature: M. Brown  
cc: Pro Se Intake  
Unit

ATTICA CORRECTIONAL FACILITY  
BOX 149

ATTICA, NEW YORK 14011-0149

NAME: Neah Brown DIN: 141000



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SOUTHERN DISTRICT OF NEW YORK  
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